IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 733 OF 2004

KESARIMAL R. OSWAL ... PETITIONERS.
VS.
THE STATE OF MAHARASHTRA .... RESPONDENTS.

MR. M.V. LIMAYE FOR THE PETITIONERS.
MR. P.A. POL PP FOR THE STATE-RESPONDENT.

Coram : S.K.Shah, J.
Date : July 18, 2006.

P.C.

1. By this writ petition, what is challenged is the Order of the Magistrate as well as the Order passed by the Additional Sessions Judge of not taking the cognizance of the offence alleged in the complaint. The Petitioner has filed private complaint. The learned Magistrate, instead of taking the cognizance of the offence, on the basis of the complaint, referred it to the police for investigation. The Police investigated the matter and submitted negative report. On the basis thereof, the Magistrate dismissed the complaint. The same was challenged before the Additional Sessions Judge. The Additional Sessions Judge, rejected the criminal revision application.

2. I have gone through the allegations made in the complaint. I have also gone through the Order passed by the learned Magistrate as well as the learned Additional Sessions Judge. I do not find any merit in this petition, as there is no impropriety or illegality in the orders passed by the Courts below. The petition is therefore, dismissed.

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[S.K.Shah, J.]